

REMARKS

The application contains claims 1-47. Claims 5, 6, 18, 19, 35 and 36 have been canceled without prejudice. Claims 1, 7-9, 15, 20-22, 32 and 37-39 have been amended. No new matter has been introduced. Reconsideration is respectfully requested.

Claims 1-47 were provisionally rejected for obviousness-type double patenting over U.S. Patent Application 10/764,963 (published as US 2004/0156399). Applicant submits herewith a terminal disclaimer with respect to U.S. Patent Application 10/764,963. On this basis, the provisional rejection should be withdrawn.

Claims 1-5, 14-17 and 32-35 were rejected under 35 U.S.C. 103(a) over Sherman (U.S. Patent 7,046,690) in view of Bajic (U.S. Patent Application Publication 2003/0227893). Applicant has amended independent claims 1, 15 and 32 in order to clarify the distinction of the claimed invention over the cited art. Amended claims 1, 15 and 32 respectively incorporate the limitations of dependent claims 5 and 6, 18 and 19, and 35 and 36, which have been canceled. Claims 7-9, 20-22 and 37-39 have been amended for proper dependence in view of the cancellation of the intermediate claims from which they formerly depended.

Claim 1, as amended, recites a method in which a plurality of access points in a WLAN communicate over the air with a mobile station using a common BSSID. Each access point, however, is assigned its own MAC address, in addition to the BSSID, and is configured to emulate mobile station communications. Therefore, contrary to conventional functionality, in which an access point acknowledges all uplink messages that are sent to its BSSID, each access point in the method of claim 1 ignores uplink data messages that are not addressed to its MAC address. This feature of the present invention is advantageous, *inter alia*, in reducing the latency of

response to uplink data messages in the shared BSSID environment, as explained in the specification in paragraphs 0010 and 0043-0045 (wherein paragraph numbers are taken from the published version of the present patent application, US 2004/0063455).

Sherman describes methods for prevention of interference among stations in an 802.11 network, by preventing stations from transmitting at the same time (col. 1, lines 44-54). In rejecting claim 5, the Examiner maintained that Sherman teaches assigning a respective MAC address to each of the access points in col. 3, lines 54-59. In fact, the cited passage makes no more than a passing reference to "the 802.11 media access control (MAC) architecture." There is no mention here or anywhere else in Sherman of assigning MAC addresses to access points. Thus, contrary to the Examiner's assertion, Sherman cannot possibly teach or suggest that "each of the access points ignores uplink data messages that are not addressed to the respective MAC address," as recited in claim 1.

Bajic describes a network architecture in which a switch communicates with multiple repeaters, which communicate with mobile stations using the 802.11 WLAN protocol (paragraphs 0045-0047). Mobile stations in Bajic's architecture have MAC addresses, in accordance with the conventional 802.11 model (see, for example, paragraphs 0072, 0074), as well as Ethernet MAC addresses (see paragraph 0081). Bajic neither teaches nor suggests, however, that MAC addresses be assigned to access points.

In rejecting claim 6 (whose limitations have been incorporated into claim 1), the Examiner cited Honkasalo et al. (U.S. Patent Application Publication 2003/0210674), together with Sherman and Bajic. Honkasalo describes a method for scheduling packet data transmission in which a MAC message is broadcast by a

base station to a plurality of mobile stations (abstract). The base station transmits a dedicated MAC channel for this purpose (paragraph 0036, cited by the Examiner), and assigns a MAC ID to each mobile station (paragraph 0038). Honkasalo, however, neither teaches nor suggests assigning MAC addresses (or even a MAC ID) to the base stations. Furthermore, although the Examiner asserted that Honkasalo teaches configuring access points to emulate mobile station communications, Honkasalo does not make the slightest mention, nor even a hint, of any sort of mobile station emulation, either in paragraph 0036 or elsewhere in his disclosure.

Thus, the cited art neither teaches nor suggests all the elements of claim 1, as amended. Applicant respectfully submits that claim 1 is patentable over the cited art. In view of the patentability of claim 1, dependent claims 2-4 and 14 are also believed to be patentable.

Independent claim 15 recites a method in which multiple access points are arranged to communicate on a common frequency channel with a mobile station. When two or more of the access points receive an uplink signal from the mobile station, the manager node selects one of these access points to respond by processing messages sent by these two or more access points. This claim has been amended, like claim 1, to recite that each access point is assigned its own MAC address and is configured to emulate mobile station communications. As explained above in reference to claim 1, these added features are neither taught nor suggested by the cited art. Therefore, claim 15, as amended, is believed to be patentable, as are claims 16 and 17, which depend from claim 15.

Independent claim 32 recites apparatus that operates on principles similar to the method of claim 1. Claim 32 has been amended in like fashion to claim 1 and is

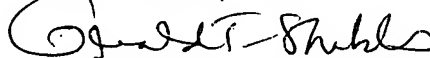
therefore believed to be patentable, as well, for the reasons explained above. In view of the patentability of claim 32, dependent claims 33 and 34 are also believed to be patentable.

Dependent claims 6-13, 18-31 and 36-47 were rejected over Sherman in view of Bajic, and further in view of one or more of Honkasalo (cited above), Chari et al. (U.S. Patent 7,016,328), and Melpignano et al. (U.S. Patent Application Publication 2003/0003912). Claims 6, 18, 19 and 36 have been canceled, as noted above. In view of the patentability of amended independent claims 1, 15 and 32, dependent claims 7-13, 20-31 and 37-47 are also believed to be patentable.

Furthermore, notwithstanding the patentability of the independent claims in this application, Applicant believes that the dependent claims recite independently-patentable subject matter. In the interest of brevity, however, Applicant will refrain from arguing the independent patentability of the dependent claims at present.

Applicant believes the amendments and remarks presented above to be fully responsive to all of the grounds of rejection raised by the Examiner. In view of these amendments and remarks, all of the claims now pending in this application are believed to be in condition for allowance. Prompt notice to this effect is requested.

Respectfully submitted,
WELSH & KATZ, Ltd.



Gerald T. Shekleton
REG. No. 27,466

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WELSH & KATZ, Ltd.
120 S. Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
Telephone: 312 655 1500